

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 13008 OF 2007

DATED: 21.6.2007

Between:

Smt Paneer Devi and others

... Petitioners

and

The Special Grade Commissioner, Greater
Municipal Corporation of Hyderabad and others

... Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 13008 of 2007

ORAL ORDER:

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The petitioners were issued a notice dated 2.2.2007, intimating that this court by the interim directions dated 25.7.2006 and 27.9.2006, both in W.P.No.15188 of 2006, had directed certain municipalities including the 2nd respondent-municipality to initiate steps for vacating unauthorised occupations/encroachments of lands earmarked for Public Park or for Public Recreation, by affording an opportunity to the occupiers/encroachers to defend themselves against the proposals for removal.

The notice further states that the petitioners are seen to have encroached upon the public open space by constructing the specified structures, in Sy.Nos.38, 39, 41 and 43 of Bairamalguda village situated at Sagar Enclave, L.B. Nagar, Ranga Reddy District and that they should show cause why their unauthorized constructions be not removed.

The petitioners sent up a representation to the 1st respondent

on 12.2.2007, stating that they have constructed houses in Sy.No.37 and not in Sy.Nos. 38, 39, 41 and 43, as alleged vide notice dated 2.2.2007, and therefore their constructions are not liable to be removed.

Notwithstanding the representation made denying the obligation to remove the constructions, the respondents are threatening to effect demolitions without considering the petitioners' representation and communicating their decision on the said representation, is the complaint.

Sri R. Ramachandra Reddy, the learned Standing Counsel for the respondents, states that the respondents will not proceed to act, pursuant to the notice dated 2.2.2007 nor would they take up demolition of the constructions or structures belonging to the petitioners, until the representation sent up by them is considered; a decision taken and is communicated to them by Registered Post Acknowledgment Due.

In the light of the above undertaking given on behalf of the respondents, the grievance of the petitioners does not subsist.

The writ petition is disposed of recording the undertaking.
There shall be no order as to costs.

GODA RAGHURAM, J

Date: 21.6.2007
cvm

